

DRUG-FREE WORKPLACE REQUIREMENTS EXPLAINED

As required by federal law, the College is responsible for maintaining guidelines designed to create a drug-free environment. The notice provided below contains background information on the Drug-Free Workplace Act of 1988, its objectives, requirements, and definitions.

It is important that you read this notice; in particular, items #5 and #6 in the *Requirements* section. Requirement #5 states that each individual employed by the College must abide by the terms of this notice; and if convicted of any criminal drug statute violation occurring in the workplace, he/she must notify his/her director-level supervisor no later than five days after such conviction.

Requirement #6 states that if an employee is paid from federal funds or is engaged in the performance of a federal grant and is convicted of a criminal drug statute for a violation occurring in the workplace, the director-level supervisor with jurisdiction over the individual must immediately notify the Development (Grants) office, as well as the Vice President of Academic Affairs and the Associate Vice President of Human Resources.

To read Procedures Memorandum VI-30, *Drug-Free Workplace Requirements*, click on this link. https://www.mccneb.edu/getattachment/Academic-Programs/Faculty/Resources/Human-Resources/HR-Resources/VI-30_Drug-Free_Workplace.pdf.aspx

If you have questions, contact the Associate Vice President of Human Resources at 457-2236.

NOTICE OF METROPOLITAN COMMUNITY COLLEGE DRUG-FREE WORKPLACE REQUIREMENTS

BACKGROUND

The Drug-Free Workplace Act of 1988 requires the College to establish and maintain guidelines designed to create a drug-free workplace. MCC Procedures Memorandum VI-30, *Drug-Free Workplace Requirements*, implements the Act at the College.

Inappropriate conduct involving controlled substances is detrimental to the College's faculty, staff, students, and the public they serve. The College will attempt to assist an employee involved with the inappropriate use of controlled substances in obtaining rehabilitation; however, the ultimate responsibility for overcoming a dependency or inappropriate use of controlled substances is that of the employee.

Objectives of a Drug-Free Workplace

1. Provide a drug-free workplace and assure a safe, healthy work environment.
2. Deter the abuse of controlled substances,
3. Reduce poor or indifferent job performance and/or rule infractions resulting from abuse or inappropriate use of a controlled substance.
4. Provide assistance toward rehabilitation for individuals employed by the College who seek assistance in overcoming a dependency or inappropriate use of controlled substances.

REQUIREMENTS

The College does not accept or condone the inappropriate use of a controlled substance by any of its employees. The following statements specify the requirements of the College.

1. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in College facilities is prohibited.
2. These requirements are a condition of employment, and employees must abide by these requirements. Violations may result in one or more of the following actions:
 - a. Referral to the Employee Assistance Program for evaluation and assessment to determine appropriate treatment for rehabilitation;
 - b. Participation in a drug rehabilitation program; and/or,
 - c. Disciplinary action as specified in College procedures, up to and including termination of employment.
3. Employees may contact, or supervisors may refer employees to, the Employee Assistance Program for assistance and confidential service. Participation in the Employee Assistance Program and/or participation in a treatment program will not affect future employment or career advancement, nor will participation protect the employee from disciplinary action for substandard job performance or rule infractions.
4. The Associate Vice President of Human Resources will be responsible for drug-free awareness programs to educate and inform employees and supervisors about:
 - a. The dangers of drug abuse in the workplace;
 - b. The College's policies pertaining to maintaining a drug-free workplace;
 - c. The availability of assistance and confidential services offered through the Employee Assistance Program; and,
 - d. The penalties that may be imposed upon employees for drug abuse occurring in the workplace.
5. Each individual employed by the College must abide by the terms of this notice and, if convicted of any criminal drug statute violation occurring in the workplace, must notify his/her director level supervisor no later than five (5) days after such conviction.
6. If an employee who is paid from federal funds or is engaged in the performance of a federal procurement contract or a federal grant is convicted of a criminal drug statute for a violation occurring in the workplace, the director-level supervisor must immediately notify the Associate Vice President of Human Resources, the Vice President of Academic Affairs, and the Associate Vice President of Development for the purpose of enabling compliance with federal regulations.

DEFINITIONS

Drug-free Workplace	A site for the performance of work done in connection with the employee's assigned College responsibilities.
Employee	Any paid staff member of the College.
Controlled Substance	Controlled substance as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812). Note: The term does not include distilled spirits, wine, malt beverages, or tobacco.
Conviction	A finding of guilt (including a plea of <i>nolo contendere</i>), or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
Criminal Drug Statute	A criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance.
College Facilities	Any building or structure or any improved or unimproved land, or any part of any such building, structure, or land, which is owned, used, or occupied by Metropolitan Community College.